

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00050

FELICIA INEZ VARELA

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On September 4, 2019, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Felicia Inez Varela, appeared in person and by her counsel, Gerald M. Titus, III, for a hearing on the petition seeking revocation of supervised release and amendments thereto submitted by United States Probation Officer Lilla M. Adkins. The defendant commenced a 34-month term of supervised release in this action on April 13, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on September 21, 2017. On May 20, 2019, the defendant's conditions of supervised release were modified to include 120 days at Dismas Charities, Inc.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant unlawfully used and possessed methamphetamine as evidenced by positive urine specimens submitted by her on July 18, 2018, March 27 and April 16, 2019, the defendant having admitted such use on each occasion to the probation officer, on May 14, 2019, the defendant admitted to using methamphetamine on May 7, 2019, on May 28, 2019 the defendant admitted that she had continued to use methamphetamine and was in need of substance abuse detoxification; (2) the defendant failed to report to the probation officer as directed on July 3, 2018, February 14, 2019, March 5, 2019, March 27, 2019, and May 29, 2019; (3) the defendant has failed to maintain regular verifiable employment since August 2018; (4) on May 15, 2018, the defendant submitted a urine specimen that returned, "substituted, not consistent with normal human urine," on July 31, 2018, the defendant enrolled in individual substance abuse counseling sessions at Pyramid Counseling but has failed to attend since January 24, 2019, on March 27, 2019, the defendant was enrolled in the intensive outpatient substance abuse program at Pyramid

Counseling but failed to attend any intensive outpatient group programming, on May 28, 2019, the defendant was directed to enter and complete substance abuse detoxification programming but has failed to enter or complete such program; and (5) pursuant to and as required by the modification of supervised release on May 20, 2019, the defendant failed to attend Dismas Charities beginning June 26, 2019, having declined to prepare herself to do so; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendments thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

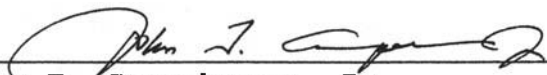
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the

defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 5, 2019

  
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John T. Copenhaver, Jr.  
Senior United States District Judge